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SINGLE BENCH

IN THE HIGH COURT OF CHHATTISGARH, AT- BILASPUR

WRIT PETITION (S) NO. 3990 OF 2006

PETITIONER : N. K. GUPTA
AGED – 54 YEARS,
SON OF LATE S. L. GUPTA
INSPECTOR,
AT PRESENT POSTED AS – S. H. O.,
AT – POLICE STATION, BAGICHA,
DISTRICT – JASHPUR (C. G.)
R/O BAGICHA,
DISTRICT – JASHPUR (C. G.)

P.R. No. 405426
Presented by Shri Vivek Tiwari
dated 27/12/06

VERSUS

RESPONDENTS :

1. STATE OF CHHATTISGARH,
THROUGH – THE SECRETARY,
DEPARTMENT OF HOME,
D. K. S. BHAWAN, RAIPUR

2. THE DIRECTOR GENERAL OF
POLICE, P. H. Q., RAIPUR,
CHHATTISGARH,

3. SUPERINTENDENT OF POLICE,
DISTRICT – JASHPUR (C. G.)

4. SANJAY BHUSHAN DEY
INSPECTOR,
THROUGH – SUPERINTENDENT
OF POLICE, BALRAMPUR,
DISTRICT – SARGUJA (C. G.)

5. MUKESH KHARE,
INSPECTOR,
THROUGH – SUPRINTENDENT
OF POLICE, RAIPUR,
DISTRICT – RAIPUR (C. G.)

6. RAKESH BAGHEL,
INSPECTOR,
THROUGH – SUPRINTENDENT
OF POLICE, RAIPUR,
DISTRICT – RAIPUR (C. G.)

OATH COMMISSIONER
S.R. Kaushik
BILASPUR TAHSIL AREA
27/12/06

RECEIVED-COPY
27/12/06
CLERK to A. G. BILASPUR

Writ Petition U/A – 226 & 227 of Constitution of India
For issuance of writ in the nature of mandamus or suitable direction or directions, order or orders etc.

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक WP No. 3990/ **सन् 2006**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

8.8.2006

Mr. R.K. Kesharwani, Advocate for the petitioner.

Mrs. Anju Ahuja, Deputy Govt. Advocate for the State , on advance copy.

Heard.

By the instant petition, the petitioner has challenged his transfer order dated 5.7.2006 (Annexure P-1) whereby he has been transferred from Bageecha to Jashpur and also order dated 5.7.2006 (Annexure P-2) whereby he has been transferred from Jashpur to Dantewada.

Learned counsel for the petitioner submitted that the petitioner is the victim of frequent transfers. He further submitted that even the petitioner has not been paid salary since December, 2005 till date.

Having heard learned counsel for the parties, I have perused the orders.

Perusal of the orders shows that the petitioner was sent on deputation to the Transport Department and on promotion from the post of Sub-Inspector to Inspector, he was repatriated to his parent department. The petitioner reported on 25.3.2006 at the Police Headquarters. Thereafter, the petitioner was transferred to Jashpur district where Superintendent of Police, Jashpur vide order dated 13.4.2006 posted the petitioner on the vacant post of Inspector, City Kotwali Jashpur. Thereafter, the petitioner was transferred from City Kotwali, Jashpur to Narayanpur by Superintendent of Police vide order dated 15.5.2006, from where he again transferred to Bageecha vide order dated 5.6.2006 and now, he has been transferred to Dantewada.

P.T.O.

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक ..... सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
Roshan	Perusal of impugned order Annexure P-2 shows that it has been issued by the Home Department, State of C.G. transferring various Inspectors and prior to that, other transfers of the petitioner, which were mentioned above, made by the Superintendent of Police, Jashpur were simple adjustment within the Jashpur District itself and since March 2006 the petitioner was on deputation in the Transport Department. Therefore, I am of the considered opinion that the transfer in question does not fall in the category of frequent transfers, as such, the petition is devoid of merit, same is liable to be dismissed and it is hereby dismissed. However, as far the question of salary is concerned, the petitioner is at liberty to make a representation before appropriate authority and the appropriate authority to pass the order for payment of salary, in accordance with law. Consequently, M.(W.)P. No.3106/06 also stands dismissed. Certified copy as per Rules. Sd/- L.C.Bhadoo Judge	

P.T.O.